

Appl. No. 10/692,557
Amdt. Dated 8/19/2004
Response to Office Action dated 06/07/2004

REMARKS

Claims 37-40 have been withdrawn. Claims 1, 12, 15, 18, 20- 23, 29, and 31- 35 have been amended. No claims have been cancelled and no new claims have been added. Claims 1-36 are pending.

We appreciate the Examiner's thorough review of the specification and claims as evidenced by the objections to some of the claims and the specification and by the §112 rejections of some of the claims.

Election/Restriction

We affirm that claims 1-36 have been elected and that claims 37-40 have been withdrawn.

Specification

The Examiner objected to a reference on the fourth to last line on page 12. The specification has been amended to cure the mistaken reference number in that "cylindrical portion 132" has been replaced with --cylindrical portion 138-- as set forth above. As such, this objection has been overcome and should be withdrawn.

Claim Objections

The Examiner objected to claims 21 and 32. The following informalities have been cured by amending claims 21 and 32 to replace the phrase "the head become" with --the head becomes-- as set forth above. As such, this objection has been overcome and should be withdrawn.

Claim Rejections - 35 USC § 112

The Examiner rejected claims 15, 18, 29, 33 and 35 under 35 USC § 112, second paragraph as indefinite. This rejection is respectfully traversed. Cosmetic amendments have been made to these claims to overcome the rejection. These amendments are merely to cure the indefiniteness rejection and more clearly recite the limitations originally present in the claims. These amendments do not add limitations to the claims.

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More specifically, claim 15 has been amended to recite --the body-- rather than "the pin body." Claim 18 has been amended to recite --the cavity-- rather than "the body cavity." Claim 29 has been amended to recite --the pin body comprises a cavity that includes screw threads-- rather than "the pin body cavity includes screw threads." Claim 33 has been amended to recite --a cavity in the pin body-- rather than "the pin body cavity." Claim 35 has been amended to recite --the cavity-- rather than "a receiving cavity."

In view of the amendments described in the prior paragraph and shown above, this rejection has been overcome and should be withdrawn.

Claim Rejections - 35 USC § 102

The Examiner rejected claims 1-5, 7, 8 under 35 USC § 102(b) as anticipated by U.S. Patent Number 4,677,794 to Parron et al. This rejection is respectfully traversed. The sole independent claim in this rejection is claim 1. Claim 1 has been amended to add the limitation, "the means for coupling being activated when the means for accepting is rotated." This limitation more clearly defines the support extension recited in claim 1.

Parron teaches a support bar 70 that remains stationary while a connector element 80 (a knob) is rotated to attach the support bar 70 to the support panel 50. (Figs. 4 and 5 of Parron and related text) However, Parron fails to teach "the means for coupling being activated when the means for accepting is rotated." That is, because the Examiner equates the "means for accepting" recited in claim 1 with the support bar 70 of Parron, the stationary support bar 70 of Parron fails to teach the "means for accepting" having the features recited in currently amended claim 1. Therefore, claim 1 and all claims depending thereon are patentable over Parron. As such, this rejection should be withdrawn.

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The Examiner rejected claims 1 and 6 under 35 USC § 102(e) as anticipated by U.S. Patent Number 6,719,156 to Ellbogen et al. This rejection is respectfully traversed.

The Examiner asserts that elements 18, 43 and 44/45 of Ellbogen teach the accepting means, coupling means and fastening means, respectively. However, claim 1 recites "a means for accepting the stage equipment" and "a means for coupling included in the means for accepting, the means for coupling including means for fastening the means for accepting to a rail." However, Ellbogen fails to teach "a means for coupling including means for fastening the means for accepting to a rail" as recited in claim 1. That is, the post 18 does not include a means for coupling the post 18 to a rail, but merely includes a base member 42 that includes a threaded pin (means for coupling) 43 extending from a flat circular plate 44 which has mounting holes 45 for screwing the plate 44 to a wall. (Ellbogen, Fig. 1b and col. 3, lines 6-21) Importantly, mounting holes 45 may be used for attaching the plate 44 to a wall with screws. There is no "fastening means" included in the base member 42 or plate 44. Holes 45 are not the same as a fastening means recited in the claims. The holes 45 in plate 44 are not a means for fastening but, if anything, are a means for receiving. As such, Ellbogen fails to teach "a means for coupling included in the means for accepting, the means for coupling including means for fastening the means for accepting to a rail" as recited in claim 1. Moreover, Ellbogen fails to teach "the means for coupling being activated when the means for accepting is rotated" as recited in amended claim 1. Therefore, claim 1 and all claims depending thereon, including claim 6, are patentable over claim 1. As such, this rejection should be withdrawn.

The Examiner rejected claims 1 and 9 under 35 USC § 102(b) as anticipated by U.S. Patent Number 6,222,107 to Lo. This rejection is respectfully traversed.

The Examiner asserts that the u-shaped positioning plates 40, u-shaped pressing plates 60, and the butterfly bolt 70 teach the accepting means, the coupling means and the fastening means recited in claim 1. However, Lo teaches a drum (percussion instrument known as a tom) suspension system that includes a plurality of u-shaped positioning plates 40 and a plurality of u-shaped pressing plates 60 fastened to annular ring 30 by a plurality of butterfly bolts 70. (Lo, Fig. 2, col. 2, lines 27-36, 49-56; col. 3, lines 1-2) The u-shaped positioning plates 40 are used to receive legs (support rods

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50) on which the drum is positioned. Lo fails to teach anything recited in claims 1 or claim 9 but for the butterfly bolts recited in claim 1.

More specifically, Lo fails to teach "a means for accepting the stage equipment" and "a means for coupling included in the means for accepting, the means for coupling including means for fastening the means for accepting to a rail" as recited in claim 1. Moreover, Lo fails to teach "the means for coupling being activated when the means for accepting is rotated" as recited in amended claim 1. Therefore, claim 1 and all claims depending thereon, including claim 9, are patentable over claim 1. As such, this rejection should be withdrawn.

The Examiner rejected claims 12, 14-18, 23, 24 and 26-29 under 35 USC § 102(b) as anticipated by U.S. Patent Number 4,244,501 to Ingram. This rejection is respectfully traversed.

Ingram generally teaches an assembly for use in a car roof rack. (Ingram, Fig. 1) The assembly may be used to support the cross beams (100) or other structure. The Examiner asserts that Ingram recites all of the limitations of claims 12, 14-18; 23, 24 and 26-29.

Claim 12 has been amended to more clearly recite the features stated in claim 12 and claim 18. Claim 12 as amended recites a body to receive the stage equipment, a bolt coupled with the body, the bolt to be coupled to a rail by rotating the body, the bolt intruding into a cavity in the body when the body is rotated. As such, Ingram fails to teach a body to receive stage equipment, a cavity in the body, rotating the body to couple the body to the rail, and the bolt intruding into the cavity when the body is rotated. More specifically, the collar 85 (Note that the drawing in Fig. 2 of Ingram wrongly shows the collar as 95; in view of the specification, col. 5, lines 13-24, the proper label is 85) does not have a cavity as recited in amended claim 12 and originally filed claim 18. Importantly, the collar 85 of Ingram is not configured to and is not capable of receiving stage equipment by virtue of its size and usage. Collar 85 merely serves as a nut to receive the shaft 86 and to attach tie down bracket 16 to the roof rack slat 14. (Ingram, col. 5, 55-62) Moreover, Ingram fails to teach rotating the body which receives stage equipment to couple the body to the rail.

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Independent claim 23 has also been amended to more clearly recite the features stated in the claim. Claim 23 as amended recites a pin body to receive one or more of lighting equipment and stage equipment, a t-bolt coupled with the pin body, the support pin to be coupled to a rail by rotating the pin body. As such, Ingram fails to teach a pin body to receive stage equipment and the support pin to be coupled to a rail by rotating the pin body. Ingram fails to teach a pin body to receive one or more of lighting equipment and stage equipment and the support pin to be coupled to a rail by rotating the pin body. The collar 85 of Ingram by virtue of its size and usage cannot receive stage and/or lighting equipment. As set forth in the prior paragraph, Ingram merely teaches a collar 85 that serves as a bolt to hold tie down bracket 16 to the roof rack slat 14. (Ingram, Fig. 2)

Therefore, claims 12 and 23, and all claims depending thereon, including claims 14-18, 24 and 26-29, are patentable over Ingram. As such, this rejection should be withdrawn.

The Examiner rejected claims 1, 10, 11, 12, 19-24 and 30-36 under 35 USC § 102(b) as anticipated by U.S. Patent Number 5,794,901 to Sigel. This rejection is respectfully traversed.

Sigel generally teaches a functional component which can be releasably attached to the mounting face of a support base 1 using a clamping device 8 which is activated by rotating actuating element 12. (Sigel, Abstract)

The Examiner asserts that, with regard to claim 1, Sigel teaches accepting means as elements 14, 13, 5 and 7, coupling means as element 12, and fastening means as element 17, wherein the fastening means includes aligning means as element 36 that is rotationally activated. However, if a system were constructed using only this subset of the elements required of Sigel, a nonfunctioning system would result. This shows that Sigel fails to teach the limitations recited in claim 1. This piecemeal approach cannot be used to support an anticipation rejection. Moreover, the functional units 7 are described in the patent as "pneumatic and/or hydraulic and/or electric and/or electronic and/or optic type. For example, they could be individual devices or combinations of valves, operating cylinders, electronic controls, manometers, connecting sleeves, for electric or fluid lines, etc." (Sigel, col. 2, lines 44-51) As such, Sigel teaches a system wholly unrelated to what is claimed.

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Continuing with regard to Claim 1, Sigel fails to teach a means for accepting the stage equipment. It appears that elements 5, 7, 13 and 14 as a unit are not capable of accepting stage equipment. If the Examiner believes otherwise, we hereby request further information about how Sigel teaches this limitation. Sigel fails to teach a means for coupling included in the means for accepting, the means for coupling including means for fastening the means for accepting to a rail, the means for coupling being activated when the means for accepting is rotated. That is, Sigel fails to teach the means for accepting the stage equipment being rotated to activate the means for coupling.

With regard to independent claims 12, 23, and 34, the Examiner again uses a piecemeal approach to attempt to construct the devices recited in the claims from a larger, wholly different system recited in Sigel. The examiner asserts that a pin/body are taught by element 12 and a bolt is taught by element 17.

However, claim 12 recites "a body to receive the stage equipment," claim 23 recites "a pin body to receive one or more of lighting equipment and stage equipment," and claim 34 recites "a pin body capable of receiving one or more of lighting equipment and other stage equipment." As such, it is impossible for element 12 which is shown as an actuator/actuating element used to hold 14 onto element 6/8 and receive element 17 to receive or be capable of receiving lighting equipment and/or stage equipment as recited in claims 12, 23 and 34. (Sigel, Fig. 2, col. 3, lines 33-44) Element 12 as shown and described is nothing more than a specialized nut that may be hand tightened to hold down plate 14. (Sigel, col. 2, lines 63-65; col.3, lines 10-23) As such element 12 does not teach the body/pin body recited in claims 12, 23, and 34. Moreover, with regard to claims 12 and 34, what the examiner asserts is a body/pin body does not have a cavity as recited in the claims.

In view of the above, Sigel fails to teach the limitations recited in independent claims 1, 12, 23, and 34. Therefore, claims 1, 12, 23 and 34, and all claims depending thereon are patentable over Sigel. As such, this rejection should be withdrawn.

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Claim Rejections - 35 USC § 103(a)

The Examiner rejected claims 13 and 25 under 35 USC § 103(a) as being unpatentable over Ingram '501. This rejection is respectfully traversed.

Ingram is also cited in a 35 USC §102(b) anticipation rejection above. As such, the arguments above regarding the anticipation rejection are incorporated and applicable here.

Therefore, claims 13 and 15 are not rendered obvious by and are patentable over Ingram. As such, this rejection should be withdrawn.


Conclusion

In view of all of the above, it is submitted that the present application is now in condition for allowance. Reconsideration and reexamination are respectfully requested and allowance at an early date is solicited.

The Examiner is invited to call the undersigned attorney to answer any questions or to discuss steps necessary for placing the application in condition for allowance.

Respectfully submitted,

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